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MAILED

JAN 27 2012

OFFICE OF PETITIONS

In re Patent No. 5,689,443
Issue Date: November 18, 1997
Application No. 08/451,035
Filed: May 25, 1995
For: METHOD AND APPARATUS FOR
EVALUATING SCANNERS

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: LETTER
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This letter is the result of a sua sponte review of the August 5, 2011 electronically filed petition under 37 CFR 1.378(c) to accept the delayed payment of a maintenance fee in the above-identified application.

A review of USPTO records reveals that the "Petition To Accept Unintentionally Delayed Payment Of Maintenance Fee In An Expired Patent (37 CFR 1.378(c))" and the accompanying "Electronic Patent Application Fee Transmittal" submission filed August 5, 2011 were erroneously accepted. Petitioner has not submitted a renewed petition under 37 CFR 1.378(c), as required in the petition decision mailed June 16, 2011 along with the required \$400.00 reconsideration fee. Therefore, a petition for reconsideration under 37 CFR 1.378(e) along with the required \$400.00 reconsideration fee must be filed within **TWO (2) MONTHS** from the mail date of this letter.

If applicant fails to submit the above, the electronically filed, August 5, 2011, petition under 37 CFR 1.378(c) will be **VACATED** and the status will be changed to indicate that the above-identified patent is expired.

The renewed petition cannot be filed using the ePetition format but must instead be filed to the Office of Petitions for consideration.

Any inquiries directly pertaining to this matter may be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

Cc:

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